

FINAL STATEMENT OF REASONS

1) The Update to the Initial Statement of Reasons

There are no changes to the initial statement of reasons, which is hereby incorporated by reference, with the exception of the following. The DMV 134 MCP, Motor Carrier of Property Permit Renewal Application form, was identified in original Notice of Proposed Regulatory Action, express terms of the regulation, and initial statement of reasons by a revision date of 3/2003. However, the form actually displayed on the department's website with the Notice of Proposed Regulatory Action had a revision date of 10/2003. The Motor Carrier of Property Permit Renewal Application is a computer-generated form that has been updated and now shows a revision date of 1/2004. This form is incorporated by reference in Title 13, Section 220.04. The change of the revision date of the form does not affect the requirements, rights, responsibilities, conditions or prescriptions contained in the proposed regulations or the previous form revisions.

2) Imposition of Mandate on Local Agencies or School Districts

The department's regulatory action amending Sections 220.04, 220.12, and 221.12 in Article 3.5, Chapter 1, Division 1, Title 13, California Code of Regulations, does not impose any mandate on local agencies or school districts and imposes (1) no cost or savings to any state agency, (2) no cost to any local agency or school district that is required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code, (3) no other nondiscretionary cost or savings to local agencies, and (4) no costs or savings in federal funding to the state. No studies or data were relied upon to make this determination.

3) Summary of Comments Received and Department Response

The proposal was noticed on September 17, 2004, and made available to the public from September 17, 2004 through November 1, 2004. No comments were received on the regulatory proposal.

4) Form Incorporated by Reference

Subsection 220.04 specifies the Motor Carrier of Property Permit Renewal Application form (DMV 134 MCP, REV 1/2004), which must be completed by the motor carrier to complete the renewal application process. This form is being incorporated by reference in the regulation since it is impractical and cumbersome to publish in the California Code of Regulations a form that will only be used for a specified purpose.

5) Determination of Alternatives

No reasonable alternative considered by the department, or that has otherwise been identified and brought to the attention of the department, would be more effective in carrying out the purpose for which these regulations are proposed or would be as effective and less burdensome to affected private persons than the proposed

regulations. During the rulemaking process, no alternative that would lessen the adverse economic impact on small business was submitted.